

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

Rev. 1-10-03

Effective March 1998

DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATION

☐ Original ☒ Supplemental ☐ Substitute ☐ PCT ☐ DESIGN

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: GENE REGULATING AUREOBASIDIN SENSITIVITY (AS AMENDED)

of which is described and claimed in:

☐ the attached specification, or☒ the specification in application Serial No. 09/951,217, filed September 12, 2001, and with amendments through _____, or☐ the specification in International Application No. _____, filed _____, and as amended on _____ (if applicable).

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
Japan	142523/93	May 24, 1993	Yes
Japan	348893/93	December 28, 1993	Yes
Japan	168611/94	June 29, 1994	Yes
Japan	95831/95	March 30, 1995	Yes
Japan	95955/95	March 30, 1995	Yes
Japan	141393/95	May 17, 1995	Yes
Japan	279921/95	October 4, 1995	Yes

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	U.S. FILING DATE	STATUS: PATENTED, PENDING, ABANDONED
------------------------	------------------	--------------------------------------

08/243,403	May 16, 1994	Abandoned
08/492,459	June 20, 1995	Patented
08/716,873	September 20, 1996	Patented
09/368,431	August 5, 1999	Patented

And I hereby appoint Michael R. Davis, Reg. No. 25,134; Matthew M. Jacob, Reg. No. 25,154; Warren M. Cheek, Jr., Reg. No. 33,367; Nils Pedersen, Reg. No. 33,145; Charles R. Watts, Reg. No. 33,142; Michael S. Huppert, Reg. No. 40,268; and Jeffrey R. Filipek, Reg. No. 41,471, who together constitute the firm of WENDEROTH, LIND & PONACK, L.L.P., as well as any other attorneys and agents associated with Customer No. 000513, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby authorize the U.S. attorneys and agents named herein to accept and follow instructions from Adati & Kazahaya as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

Direct Correspondence to: <p style="text-align: center;">CUSTOMER NO. 000513</p>	Direct Telephone Calls to: WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone: (202) 721-8200 Fax: (202) 721-8250
---	---

Full Name of First Inventor	FAMILY NAME OKADO	FIRST GIVEN NAME Takashi	SECOND GIVEN NAME
Residence & Citizenship	CITY Kyoto-fu	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
Post Office Address	ADDRESS 2-2-5, Kizugawadai, Kizu-cho, Soraku-gun, Kyoto-fu, Japan	CITY	STATE OR COUNTRY ZIP CODE

Full Name of Second Inventor	FAMILY NAME TAKESAKO	FIRST GIVEN NAME Kazutoh	SECOND GIVEN NAME
Residence & Citizenship	CITY Shiga-ken	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
Post Office Address	ADDRESS 4-20-208, Akibadai, Otsu-shi, Shiga-ken, Japan	CITY	STATE OR COUNTRY ZIP CODE

Full Name of Third Inventor	FAMILY NAME KATO	FIRST GIVEN NAME Ikunoshin	SECOND GIVEN NAME
Residence & Citizenship	CITY Kyoto-fu	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
Post Office Address	ADDRESS 1-1-150, Nanryo-cho, Uji-shi, Kyoto-fu, Japan	CITY	STATE OR COUNTRY ZIP CODE

Full Name of Fourth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE

Full Name of Fifth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE

Full Name of Sixth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1st Inventor Takashi Okado Date Dec. 3, 2003
 Takashi OKADO
 2nd Inventor Kazutoh Takesako Date Dec. 4, 2003
 Kazutoh TAKESAKO
 3rd Inventor Ikunoshin Kato Date Dec. 4, 2003
 Ikunoshin KATO
 4th Inventor _____ Date _____
 5th Inventor _____ Date _____
 6th Inventor _____ Date _____

The above application may be more particularly identified as follows:

U.S. Application Serial No. 09/951,217 Filing Date September 12, 2001

Applicant Reference Number F-3430 A-CA-Div. II Atty Docket No. 2001 1249

Title of Invention GENE REGULATING AUREOBASIDIN SENSITIVITY (AS AMENDED)

DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATIONS

(X) Original () Supplemental () Substitute () PCT () Design

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: GENE REGULATING AUREOBASIDIN SENSITIVITY

of which is described and claimed in:

(X) the attached specification, or
 () the specification in the application Serial No. _____ filed _____;
 and with amendments through _____ (if applicable), or
 () the specification in International Application No. PCT/ _____, filed _____,
 and as amended on _____ (if applicable).

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
Japan	142523/93	May 24, 1993	(X) YES () NO
Japan	348893/93	December 28, 1993	(X) YES () NO
Japan	168611/94	June 29, 1994	(X) YES () NO
Japan	95831/95	March 30, 1995	(X) YES () NO
Japan	95955/95	March 30, 1995	(X) YES () NO
Japan	141393/95	May 17, 1995	(X) YES () NO
Japan	279921/95	October 4, 1995	(X) YES () NO

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

SERIAL NO.	U.S. FILING DATE	STATUS
08/492,459	June 20, 1995	() Patented (X) Pending () Abandoned
		() Patented () Pending () Abandoned
		() Patented () Pending () Abandoned

And I hereby appoint John T. Miller, Reg. No. 21120, John T. Fedigan, Reg. No. 24347, Michael R. Davis, Reg. No. 25134, Matthew M. Jacob, Reg. No. 25154, Jeffrey Noltan, Reg. No. 25408, Henry M. Zykorie, Reg. No. 27477, Michael Stone, Reg. No. 32442, Warren M. Cheek, Jr., Reg. No. 33367, and Adam C. Volentine, Reg. No. 33289, who together constitute the firm of WENDEROTH, LIND & PONACK, jointly and severally, attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby authorize the U.S. attorneys named herein to accept and follow instructions from _____ as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

Send Correspondence to

WENDEROTH, LIND & PONACK, L.L.P.
 2033 K Street, N.W., Suite 800
 Washington, D.C. 20006

Direct Telephone Calls to:

WENDEROTH, LIND & PONACK, L.L.P.
 Area Code (202) 721-8200

Direct Facsimile Messages to:
 Area Code (202) 721-8250

FULL NAME OF 1ST INVENTOR	FAMILY NAME OKADO	FIRST GIVEN NAME Takashi	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Soraku-gun, Kyoto-fu	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
POST OFFICE ADDRESS	ADDRESS 2-2-5, Kizugawadai,	CITY Kizu-cho Soraku-gun, Kyoto-fu, Japan	STATE OR COUNTRY ZIP CODE
FULL NAME OF 2ND INVENTOR	FAMILY NAME TAKESAKO	FIRST GIVEN NAME Kazutoh	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Otsu-shi, Shiga-ken	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
POST OFFICE ADDRESS	ADDRESS 4-20-208, Akibadai,	CITY Otsu-shi, Shiga-ken,	STATE OR COUNTRY Japan ZIP CODE
FULL NAME OF 3RD INVENTOR	FAMILY NAME KATO	FIRST GIVEN NAME Ikunoshin	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY Uji-shi, Kyoto-fu	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
POST OFFICE ADDRESS	ADDRESS 1-1-150, Nanryo-cho,	CITY Uji-shi, Kyoto-fu,	STATE OR COUNTRY Japan ZIP CODE
FULL NAME OF 4TH INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
POST OFFICE ADDRESS	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
FULL NAME OF 5TH INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
POST OFFICE ADDRESS	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
FULL NAME OF 6TH INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
POST OFFICE ADDRESS	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1st Inventor Takashi Okado (Takashi Okado) Date August 21, 1996
 2nd Inventor Kazutoh Takesako (Kazutoh Takesako) Date August 22, 1996
 3rd Inventor Ikunoshin Kato (Ikunoshin Kato) Date August 26, 1996
 4th Inventor _____ Date _____
 5th Inventor _____ Date _____
 6th Inventor _____ Date _____

The above application may be more particularly identified as follows:

U. S. Application Serial No. _____ Filing Date _____
 Applicant Reference Number _____ Atty Docket No. _____
 Title of Invention _____